

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

ROCHESTER GAS & ELECTRIC CORP.,

and

LOCAL 36, INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO

**NOTICE OF MOTION
IN SUPPORT OF
SUMMARY JUDGMENT**

Case No.: 03-CA-25915

PLEASE TAKE NOTICE, that upon the annexed Affidavit of James S. Gleason with Exhibits and the accompanying Memorandum of Law, Rochester Gas and Electric Corporation hereby moves to transfer the Proceeding to the National Labor Relations Board in favor of Rochester Gas & Electric Corp. pursuant to Sections 102.24, 102.50 and 102.59 for an order granting summary judgment determining the date for compliance to begin is July 1, 2014, or in the alternative, excluding the time between February 8, 2013 and July 1, 2014 from the calculation of penalty;

AND for such other and further relief as the Board deems just and proper.

PLEASE TAKE FURTHER NOTICE, that answering papers, if any, are to be served no later than 21 days prior to the hearing date in this matter.

Dated: January 27, 2016
Binghamton, New York



James S. Gleason, Esq.
HINMAN, HOWARD & KATTELL, LLP
Attorneys for Rochester Gas & Electric Corp.
Office and Post Office Address
80 Exchange Street
P.O. Box 5250
Binghamton, NY 13902-5250
[Telephone: (607) 723-5341]
E-mail: jgleason@hhk.com

To: Linda M. Leslie, Esq. (Linda.Leslie@nlrb.gov)
Acting Regional Director
NLRB
Niagara Center Building Suite 630
130 South Elmwood
Buffalo, NY 14202-2465
Via Electronic Filing, Electronic Mail & Regular U.S. Mail

James LaVaute, Esq. (jrlavaute@bklawyers.com)
James LaClair, Esq. (bjlaclair@bklawyers.com)
Counsel for Local 36 IBEW
Blitman & King, LLP
443 N. Franklin St., Suite 300
Syracuse, NY 13204-5412
Via Electronic Mail & Regular U.S. Mail

Mr. Jeffrey Sondervan
Internaitonal Brotherhood of Electrical Workers
(IBEW) Local 36
595 Blossom Road, Suite 303
Rochester, NY 14610-1825
Via Regular U.S. Mail